

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

ePLUS, INC.,)
)
)
Plaintiff,)
)
v.) Civil Action No. 3:09-cv-620
)
LAWSON SOFTWARE, INC.)
)
)
Defendant.)

**DEFENDANT LAWSON SOFTWARE, INC.'S OBJECTIONS TO PLAINTIFF'S
DESIGNATED DISCOVERY FOR CONTEMPT PROCEEDINGS**

Pursuant to the Scheduling Order entered on November 23, 2011 and the parties' Stipulated Order regarding Briefing Schedule, attached hereto are Defendant Lawson Software Inc.'s Objections to Plaintiff ePlus Inc.'s Designations of Deposition Testimony for the contempt proceeding from the following witnesses:

Dale A. Christopherson
Todd Dooner
Dean Hager
Scott Hanson
Elizabeth Homewood
Keith Lohkamp
Kurt Reasoner
Kevin Samuelson

LAWSON SOFTWARE, INC.

By /s/
Of Counsel

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CERTIFICATE OF SERVICE

I certify that on this 20th day of February, 2012, a true copy of the foregoing will be filed electronically with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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Objections to Designations of December 21, 2011 Deposition of Todd Dooner

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|------------------------------------|---|
| 54:18-19 | 401, 402, 602, 801, 802, 901. | Outside the scope of the 30(b)(6) designation. Question does not describe source code. Internal layperson analysis of patent claims is irrelevant to both prongs of <i>TiVo</i> . Witness had no recollection of the document. Hearsay. |
| 62:1-2 | 401, 402, 602, 611, 701, 801, 802. | Witness' opinion is irrelevant and improper testimony. Outside the scope of the 30(b)(6) designation. Vague and ambiguous as to "accurate or inaccurate". Hearsay. |
| 62:14-15; 62:20-21 | 401, 402, 602, 611, 801, 802. | Vague as to "error". Outside the scope of the 30(b)(6) designation. Questions do not describe source code. Witness' opinion as to draft flow charts is not relevant to either prong of <i>TiVo</i> . Questions call for hearsay. |
| 65:17-18 | 401, 402, 602, 611, 801, 802. | Outside the scope of the 30(b)(6) designation. Question does not describe source code. Vague as to "developed the code". When witness created slides is not relevant to either prong of <i>TiVo</i> . Hearsay. |
| 71:12 | 401, 402, 602, 611, 801, 802. | Outside the scope of the 30(b)(6) designation. Question does not describe source code. Question calls for speculation. Hearsay. |
| 79:6-7 | 401, 402, 602, 611, 801, 802. | Outside the scope of the 30(b)(6) designation. Question does not describe source code. Vague as to "design spec". Hearsay. |
| 84:2-5; 84:9-12; 84:14-15; 84:19-22 | 602, 613, 801, 802. | Outside the scope of the 30(b)(6) designation. Questions do not describe source code. Examiner is simply reading documents into the transcript. Questions call for hearsay. |
| 86:16-19 | 401, 402, 611. | Outside the scope of the 30(b)(6) designation. Question does not describe source code. Vague as to "process of assigning the number itself". |
| 93:5-8 | 401, 402, 602, 611, 801, 802. | Outside the scope of the 30(b)(6) designation. Question does not describe source code. Timing of code changes is not relevant to either prong of <i>TiVo</i> . Question is |

Objections to Designations of December 21, 2011 Deposition of Todd Dooner

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|--|----------------------------|--|
| | | vague as to "changes" and when those changes were "released". Hearsay. |
| 96:2-5; 96:7-9; 96:11-13; 96:15-16; 96:18-22 | 602, 801, 802. | Outside the scope of the 30(b)(6) designation. Questions do not describe source code. Questions call for hearsay. |
| 131:3-8; 131:10; 131:13-14; 131:16-17; | 602, 801, 802. | Outside the scope of the 30(b)(6) designation. Questions do not describe source code. Questions call for hearsay. |
| 131:19-22; 132:3 | 602, 611, 801, 802. | Outside the scope of the 30(b)(6) designation. Questions do not describe source code. Calls for speculation. Calls for speculation as to how IDs are stored. Vague as to "associated". Questions call for hearsay. |
| 172:10-14; 172:18; 173:3-5; 173:7-8; 173:10-11; 173:13-14; 173:16-17; 173:19; 173:21-22; 174:2; 174:4-5; 174:8; 174:11; 174:13-14; 174:16-20; 174:22; 175:4-5; 175:7-10; 175:13-14; 175:18-19; 175:22; 176:2-4; 176:6-9; 176:11-13; 176:16-18; 176:20-21 | 401, 402. | ePlus never unequivocally accused the CartObject of infringing at trial, and therefore it is irrelevant under either prong of <i>TiVo</i> . |
| 183:12; 183:22-184:2; 184:4-5; 184:8; 184:10-11; 184:15; 185:17-18; 185:8-9; 185:12-13; 195:16-18; | 401, 402. | ePlus never unequivocally accused the cookie file of infringing at trial, and therefore it is irrelevant under either prong of <i>TiVo</i> . |

Objections to Designations of December 21, 2011 Deposition of Todd Dooner

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|----------------------------|---|
| 185:20; 185:22; 186:3-6; 186:8; 186:12-14; 186:16-19; 186:22-187:3; 187:16-17; 187:19; 187:21- 188:2; 188:5; 188:10 | | |
| 197:6-9; 197:11 | 602, 801, 802. | Outside the scope of the 30(b)(6) designation. Question does not describe source code. Hearsay. |
| 197:14-16 | 602, 701, 801, 802. | Outside the scope of the 30(b)(6) designation. Question does not describe source code. Question is not relevant to either prong of <i>TiVo</i> test. Calls for a legal conclusion as to what constitutes an order list. Vague as to "official record" and "order list". |
| 199:2-6 | 801, 802 | ePlus never accused the cookie file or the cart object of infringing at trial, and therefore it is not relevant to either prong of the <i>TiVo</i> test. Hearsay. |
| 199:12-14 | 611, 613. | Vague as to timing, copies, and list. Misstates the witness' testimony. |
| 200:2-5; 200:9-10 | 401, 402, 801, 802. | Vague as to "temporary list" and "reflected". ePlus never accused the cookie file of infringing at trial, and therefore it is not relevant to either prong of <i>TiVo</i> test. Hearsay. |
| 200:21-201:1 | 401, 402, 613, 801, 802. | Outside the scope of the 30(b)(6) designation. Question does not describe source code. ePlus never accused the cookie file of infringing at trial, and therefore it is not relevant to either prong of <i>TiVo</i> test. Hearsay. |
| 201:7-9 | 401, 402, 801, 802. | Outside the scope of the 30(b)(6) designation. Question does not describe source code. Irrelevant to <i>TiVo</i> test. |
| 201:14 | 602, 611, 801, 802. | Vague as to "it". Outside the scope of the 30(b)(6) designation. Question does not describe source code. |
| 201:18 | 611. | Not a question. |

Objections to Designations of December 21, 2011 Deposition of Todd Dooner

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|----------------------------|--|
| 205:19-20; 205:22-206:1; 206:3-4; 206:7-9; 206:11-13; 206:15-16; 206:18-21; 207:1-2 | 401, 402. | ePlus never accused errors or error-checking process of infringing at trial, and therefore both are not relevant to either prong of <i>TiVo</i> test. |
| 209:16-18 | 401, 402. | Process of adding items to cookie file has not changed, and ePlus never accused the cookie file of infringing, therefore the question is not relevant to either prong of <i>TiVo</i> test. |
| 210:13-14; 210:16-17; 210:20-22; 210:211:2-4; 211:6-7; 211:9-11 | 401, 402. | ePlus never accused errors of infringing at trial, and therefore the questions are not relevant to either prong of <i>TiVo</i> test. |
| 211:13-17 | 611. | Vague as to "works". |
| 212:9-11; 212:13; 212:15-20; 212:22-213:1; 213:3-8 | 401, 402. | ePlus never accused errors of infringing at trial, and therefore the questions are not relevant to either prong of <i>TiVo</i> test. |
| 213:10-14 | 401, 402, 611. | Vague as to "result" and as to what the user has. ePlus never accused errors of infringing at trial, and therefore the question is not relevant to either prong of <i>TiVo</i> test. |
| 213:20-214:2; 214:4-6 | 401, 402, 611. | Vague as to "result". ePlus never accused errors of infringing at trial, and therefore the questions are not relevant to either prong of <i>TiVo</i> test. |
| 214:9-11 | 401, 402, 611. | Vague as to "look the same". ePlus never accused errors of infringing at trial, and therefore the question is not relevant to either prong of <i>TiVo</i> test. |

Objections to Designations of December 21, 2011 Deposition of Todd Dooner

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|----------------------------|---|
| 214:14; 214:16; 214:18-19; 214:21-215:2; 215:4; 215:6; 215:8-9; 215:11-13; 215:15-17; 215:19-20; 215:22-216:6; 216:9 | 401, 402, 611. | ePlus never accused errors of infringing at trial, and therefore the questions are not relevant to either prong of <i>TiVo</i> test. |
| 216:15-18; 216:20; 216:22- 217:1; 217:3-4; 217:6-7; 217:9- 10; 217:12-13; 217:15-18; 220:13-14; 220:16-18; 220:20-221:3 | 401, 402, 801, 802. | Outside the scope of the 30(b)(6) designation. Questions do not describe source code. Change in error processing is not relevant to changes alleged as basis for design-around, and therefore is not relevant to either prong of <i>TiVo</i> test. Hearsay. |
| 237:7-8 | 401, 402. | ePlus never accused errors of infringing at trial, and similarities cannot be focus of inquiry, therefore the question is not relevant to either prong of <i>TiVo</i> test. |
| 245:10-13; 245:17-21 | 401, 402. | ePlus never accused cookie file or errors of infringing at trial, and therefore the questions are not relevant to either prong of <i>TiVo</i> test. |
| 246:2-3 | 401, 402, 611. | Vague as to "they're". ePlus never accused cookie file of infringing at trial, and therefore the question is not relevant to either prong of <i>TiVo</i> test. |
| 246:11-14; 246:16-18; 246:20-247:1; 247:3; 247:5; 247:7-10; 247:12-15; 247:17-19; 247:21-248:2; 248:4; 248:6-9; 248:16 | 801, 802. | Outside the scope of the 30(b)(6) designation. Questions do not describe source code. Hearsay. |

Objections to Designations of December 21, 2011 Deposition of Todd Dooner

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|----------------------------|--|
| 248:11-13 | 611, 801, 802. | Outside the scope of the 30(b)(6) designation. Question does not describe source code. Vague as to "behavior." Hearsay |
| 248:22-249:7; 248:9-11 | 801, 802. | Outside the scope of the 30(b)(6) designation. Questions do not describe source code. Hearsay. |
| 248:22-249:7; 249:9-11 | 801, 802. | Outside the scope of the 30(b)(6) designation. Questions do not describe source code. Hearsay. |
| 251:4-5 | 401, 402, 611, 801, 802. | Outside the scope of the 30(b)(6) designation. Question does not describe source code. Vague as to "parallel." Ability to run RQC and RSS simultaneously is not relevant to either prong of <i>TiVo</i> test. Hearsay. |
| 251:13-14; 251:16-18 | 401, 402. | ePlus never accused cookie file or errors of infringing at trial, and therefore the questions are not relevant to either prong of <i>TiVo</i> test. |
| 251:20-21 | 401, 402, 611. | ePlus never accused cookie file or errors of infringing at trial, and therefore the question is not relevant to either prong of <i>TiVo</i> test.. Vague as to "how long is it going to stay?" |
| 252:5-6 | 401, 402, 611. | ePlus never accused cookie file or errors of infringing at trial, and therefore the question is not relevant to either prong of <i>TiVo</i> test. |
| 252:8-9 | 401, 402, 611. | ePlus never accused cookie file or errors of infringing at trial, and therefore the question is not relevant to either prong of <i>TiVo</i> test. Vague as to "fix". |
| 252:12-18 | 401, 402, 801, 802. | ePlus never accused errors of infringing at trial, and therefore the question is not relevant to either prong of <i>TiVo</i> test. Outside the scope of the 30(b)(6) designation. Question does not describe source code. Hearsay. |
| 252:20-21 | 401, 402. | ePlus never accused cookie file or errors of infringing at trial, and therefore the question is not relevant to either prong of <i>TiVo</i> test. |

Objections to Designations of December 21, 2011 Deposition of Todd Dooner

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|----------------------------|---|
| 253:2-3 | 401, 402. | ePlus never accused cookie file or errors of infringing at trial, and therefore the question is not relevant to either prong of <i>TiVo</i> test. |

**Objections to Designations in December 19, 2011 and December 20, 2011 Depositions of
Dale Christopherson**

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|--|----------------------------|--|
| 30:17-20 | 401, 402. | Irrelevant in light of <i>TiVo</i> . |
| 30:22-31:2 | 401, 402, 611. | Irrelevant in light of <i>TiVo</i> ; Vague and ambiguous as to "necessitate any modifications." |
| 31:6-8 | 401, 402, 611, 701 | Irrelevant in light of <i>TiVo</i> ; Calls for a legal conclusion; vague and ambiguous as to "require that any modifications be made." |
| 31:16-18 | 401, 402, 611, 701. | Irrelevant in light of <i>TiVo</i> ; Calls for legal conclusion; vague and ambiguous as to "require any changes be made." |
| 32:1-4; 32:22-33:2 | 401, 402, 701. | Irrelevant in light of <i>TiVo</i> ; Calls for legal conclusion. |
| 32:6-7; 32:11-14; 32:18-20; 36:3-7; 36:9-12; 37:20-38:1; 38:4-8; 40:7-9; 40:11-13; 41:7-9; 41:11-13; 41:15-18; 42:3-5; 42:10-12; 47:5-7; 47:18-20; 51:11-14; 52:21-53:2; 53:10-13; 58:9; 58:21-59:1; 62:16-18; 63:11-13; 235:22-236:3; 236:7-8; 236:10-11; 236:13-14; 236:18-21; 237:8-10; 237:12-14; 237:16-18; 237:20-238:1; 238:3-5; 243:13-17; 252:7-10; 267:16-20; 268:4-7; 282:6-8; 285:17-22; 293:12-13; 294:2-295:3; 295:19-22; 296:6-8; 296:10-17; 296:19-22; 297:20-298:1; 298:7-9; 307:19-21; 308:1-2; 308:8-10; 334:12-15; 334:18-20; 335:2-5; 335:9-10; 335:19-336:2; 366:17-20; 367:6-7; 367:10; 381:8 | 401, 402 | Irrelevant in light of <i>TiVo</i> . |
| 33:4-7 | 401, 402, 611, 701. | Irrelevant in light of <i>TiVo</i> ; Calls for opinion; Vague and |

**Objections to Designations in December 19, 2011 and December 20, 2011 Depositions of
Dale Christopherson**

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|---------------------------------|--|
| | | ambiguous as to "punchout setup request." |
| 33:11-13 | 401, 402, 611. | Irrelevant in light of <i>TiVo</i> ; Vague and ambiguous as to "punchout setup response." |
| 35:11-17 | 401, 402, 611. | Irrelevant in light of <i>TiVo</i> ; Vague and ambiguous as to "process for Punchout setup request and Punchout set up response." |
| 36:14 | Improper designation | Part of question and complete answer omitted from designation. |
| 38:10-13 | 611. | Vague and ambiguous as to "placed in the items list in the user interface." |
| 44:16-18 | 401, 402, 611. | Irrelevant in light of <i>TiVo</i> ; Vague and ambiguous as to "Punchout process." |
| 47:9-10 | 401, 402, 701 701. | Irrelevant in light of <i>TiVo</i> ; Calls for opinion. |
| 47:12-14 | 401, 402, 611, 701. | Irrelevant in light of <i>TiVo</i> ; vague and ambiguous as to "changes needed"; Calls for opinion. |
| 55:14; 56:5-6; 56:20-57:1; 196:12-21 | 802. | Outside the scope of 30(b)(6) designation; Witness was not designated to discuss webinars presented to customers regarding RQC. |
| 91:8-9 | 611, 701. | Vague and ambiguous as to "screen display showing multiple product catalogs"; Calls for opinion. |
| 92:8-9 | 611, 701. | Vague and ambiguous as to "punch out to the Dell catalog"; Calls for opinion. |
| 92:17-19 | 611, 701. | Vague and ambiguous as to "select either the Dell catalogue or the Staples catalogue to search"; Misstates prior testimony; Calls for opinion. |
| 93:13-14 | 701. | Calls for opinion. |
| 93:19-22 | Improper designation, 611, 701. | Fails to designate the entire question; Vague as to "brought back into the item lines list"; Calls for opinion. |
| 94:7-9 | 611, 701. | Vague and ambiguous as to "using the data relating to those selected items"; Calls for opinion. |

**Objections to Designations in December 19, 2011 and December 20, 2011 Depositions of
Dale Christopherson**

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|-------------------------------|---|
| 94:14-17 | 611, 701. | Vague and ambiguous as to "process that requisition"; Calls for opinion. |
| 133:6-7 | 611. | Vague and ambiguous as to "stage." |
| 210:4-8 | 401, 402, 611. | Irrelevant in light of <i>TiVo</i> ; Vague and ambiguous as to "backwards to the requisition module functionality." |
| 210:12-15 | 401, 402, 611. | Irrelevant in light of <i>TiVo</i> ; Vague and ambiguous as to "back to prior functionality." |
| 221:7-14 | 401, 402, 611, 701, 801, 802. | Irrelevant in light of <i>TiVo</i> ; Outside the scope of 30(b)(6) designation; Question does not relate to actual changes Lawson implemented; Mischaracterizes document; Calls for opinion; Hearsay. |
| 222:21-223:1 | 401, 402, 701. | Irrelevant in light of <i>TiVo</i> ; Calls for opinion. |
| 223:6-9 | 401, 402, 701. | Irrelevant in light of <i>TiVo</i> ; Calls for opinion. |
| 224:3-13 | 401, 402, 611, 801, 802. | Irrelevant in light of <i>TiVo</i> ; Outside the scope of 30(b)(6) designation; Question does not relate to actual changes Lawson implemented; Vague and ambiguous as to "functionality of searching for items"; Hearsay. |
| 224:18-20 | 401, 402, 611, 801, 802. | Irrelevant in light of <i>TiVo</i> ; Outside the scope of 30(b)(6) designation; Question does not relate to actual changes Lawson implemented; Vague and ambiguous as to "unacceptable to remove the search capabilities"; Hearsay. |
| 225:21-226:1; 226:17-227:5 | 401, 402, 611, 801, 802. | Irrelevant in light of <i>TiVo</i> ; Outside the scope of 30(b)(6) designation; Question does not relate to actual changes Lawson implemented; Vague and ambiguous as to "ultimately agree"; Hearsay. |

**Objections to Designations in December 19, 2011 and December 20, 2011 Depositions of
Dale Christopherson**

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|----------------------------|---|
| 226:5-7; 227:9-11 | 401, 402, 611, 801, 802. | Irrelevant in light of <i>TiVo</i> ; Outside the scope of 30(b)(6) designation; Question does not relate to actual changes Lawson implemented; Vague and ambiguous as to "unacceptable"; Hearsay. |
| 231:8-10; 231:22-232:3 | 701, 801, 802. | Outside the scope of 30(b)(6) designation; Question does not relate to actual changes Lawson implemented; Calls for opinion; Hearsay. |
| 235:12-18 | 401, 402, 611. | Irrelevant in light of <i>TiVo</i> ; Vague and ambiguous as to "add selected items from among the items in search results to a list of items being built on the right-hand side of the user interface." |
| 237:1-4 | 401, 402, 611. | Irrelevant in light of <i>TiVo</i> ; Vague and ambiguous as to "list of items that's being built on that side of the user interface." |
| 238:7-10 | 401, 402, 611. | Irrelevant in light of <i>TiVo</i> ; Vague and ambiguous as to "list of selected items being built on the right-hand side of the user interface." |
| 238:14-16 | 401, 402, 611. | Irrelevant in light of <i>TiVo</i> ; Vague and ambiguous as to "releases the requisition." |
| 238:20-22 | 611. | Vague and ambiguous as to "releases the requisition." |
| 239:21-240:2 | 611. | Misstates prior testimony. |
| 241:7-9 | 401, 402, 611. | Irrelevant in light of <i>TiVo</i> ; Vague and ambiguous as to "innovations." |
| 242:14-20 | 611. | Misstates document. |
| 243:20-21 | 611. | Vague and ambiguous as to "that still happens." |
| 249:14-17 | 701, 801, 802. | Outside the scope of 30(b)(6) designation; Witness was not designated to testify regarding Lawson's outreach efforts to customers; Calls for speculation; Hearsay. |

**Objections to Designations in December 19, 2011 and December 20, 2011 Depositions of
Dale Christopherson**

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|---------------------------------|---|
| 249:22-250:3 | 401, 402, 611, 701, 801, 802. | Irrelevant in light of <i>TiVo</i> ; Outside the scope of 30(b)(6) designation; Witness was not designated to testify regarding Lawson's outreach efforts to customers; Argumentative; Calls for speculation; Calls for opinion; Hearsay. |
| 250:8-9 | 401, 402, 801, 802. | Irrelevant in light of <i>TiVo</i> ; Outside the scope of 30(b)(6) designation; Question does not relate to actual changes Lawson implemented; Hearsay. |
| 250:14-16 | 401, 402, 611, 701, 801, 802. | Irrelevant in light of <i>TiVo</i> ; Outside the scope of 30(b)(6) designation; Witness was not designated to testify regarding Lawson's outreach efforts to customers; Calls for speculation; Argumentative; Hearsay. |
| 269:1-3 | 611. | Vague and ambiguous as to "associated with multiple vendors." |
| 276:4-9; 278:20-279:2 | 611. | Incomplete hypothetical |
| 277:6-10; 279:16-17 | 401, 402, 801, 802. | Irrelevant in light of <i>TiVo</i> ; Outside the scope of 30(b)(6) designation; Witness was not designated to testify as to his personal opinion as to whether a change renders RQC noninfringing; Hearsay. |
| 279:7-9 | 401, 402, 611. | Irrelevant in light of <i>TiVo</i> ; Vague and ambiguous as to "innovative." |
| 280:4-7 | 401, 402, 611, 701, 801, 802. | Irrelevant in light of <i>TiVo</i> ; Outside of the scope of 30(b)(6) designation; Witness was not designated to give a legal opinion as to whether a change is obvious; Vague and ambiguous as to "obvious"; Calls for opinion; Hearsay. |
| 287:4-8 | 401, 402, Improper designation. | Irrelevant in light of <i>TiVo</i> ; answer not designated. |
| 292:16-22 | 401, 402, 611. | Irrelevant in light of <i>TiVo</i> ; Vague and ambiguous as to "this functionality." |

**Objections to Designations in December 19, 2011 and December 20, 2011 Depositions of
Dale Christopherson**

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|----------------------------|--|
| 295:14-15 | 401, 402, 611. | Irrelevant in light of <i>TiVo</i> ; Vague and ambiguous as to "associated with." |
| 298:19-299:1 | 611, 701. | Vague and ambiguous as to "catalog"; Calls for opinion. |
| 300:17-20 | 611. | Vague and ambiguous as to "items being built in this RQC user interface." |
| 305:7-10 | 701, 801, 802. | Outside the scope of 30(b)(6) designation; Witness was not designated to testify regarding his own opinion as to whether a specific feature infringes; Calls for opinion; Hearsay. |
| 306:7-10 | 611. | Misstates document. |
| 308:13-15 | 611, 701. | Misstates testimony; Calls for opinion. |
| 317:20-318:8; 319:3-5 | 611, 801, 802. | Outside the scope of 30(b)(6) designation; Questions do not relate to the actual changes implemented; Misstates document; Hearsay. |
| 318:17-19; 330:2-6; 336:4; 389:4; 392:10-14; 396:13-15; 426:11-12 | 801, 802. | Outside the scope of 30(b)(6) designation; Questions do not relate to the actual changes implemented; Hearsay |
| 319:10-13 | 611, 701, 801, 802. | Outside the scope of 30(b)(6) designation; Questions do not relate to the actual changes implemented; Argumentative; Calls for Opinion; Hearsay. |
| 319:19-320:2 | 601, 611, 701, 801, 802. | Outside the scope of 30(b)(6) designation; Questions do not relate to the actual changes implemented; Calls for speculation; Argumentative; Calls for opinion; Hearsay. |
| 320:16-19 | 602, 611, 801, 802, 901. | Outside the scope of 30(b)(6) designation; Questions do not relate to the actual changes implemented; Argumentative; Lacks foundation; Hearsay. |
| 321:22-322:2 | 611. | Argumentative. |
| 355:1-6 | 401, 402, 602, 901. | Irrelevant in light of <i>TiVo</i> ; Lacks foundation. |

**Objections to Designations in December 19, 2011 and December 20, 2011 Depositions of
Dale Christopherson**

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|----------------------------|--|
| 381:13-15; 382:15-17 | 701, 801, 802. | Outside the scope of 30(b)(6) designation; Witness was not designated to provide legal conclusions; Calls for opinion; Hearsay. |
| 382:3-5 | 611. | Misstates testimony. |
| 389:14-18 | 611, 701, 801, 802. | Outside the scope of 30(b)(6) designation; Question does not relate to the actual changes implemented; Calls for speculation; Argumentative; Hearsay. |
| 390:2-4; 395:10-13 | 602, 801, 802, 901. | Outside the scope of 30(b)(6) designation; Questions do not relate to the actual changes implemented; Lacks foundation; Calls for Speculation; Hearsay. |
| 390:9-11 | 602, 611, 801, 802, 901. | Outside the scope of 30(b)(6) designation; Question does not relate to the actual changes implemented; Lacks foundation; Assumes facts not in evidence; Hearsay. |
| 391:1-2 | 611, 801, 802. | Outside the scope of 30(b)(6) designation; Question does not relate to the actual changes implemented; Vague and ambiguous as to "that"; Misstates testimony; Hearsay. |
| 391:6-9; 391:21-392:2 | 611, 801, 802. | Outside the scope of 30(b)(6) designation; Questions do not relate to the actual changes implemented; Misstates document; Hearsay. |
| 396:21-397:5; 397:7-8; 398:5-6; 399:13-14 | 401, 402, 407. | Irrelevant in light of <i>TiVo</i> ; Subsequent remedial measures. |
| 401:12-18 | 602, 611, 701. | Calls for speculation; Incomplete hypothetical. |
| 405:22-406:2; 406:4-6; 407:10-14 | 401, 402, 602, 801, 802. | Irrelevant in light of <i>TiVo</i> ; Outside the scope of 30(b)(6) designation; Questions do not relate to the actual changes implemented; Hearsay. |

**Objections to Designations in December 19, 2011 and December 20, 2011 Depositions of
Dale Christopherson**

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|--|-------------------------------|--|
| 407:17-19 | 401, 402, 602, 801, 802, 901. | Irrelevant in light of <i>TiVo</i> ; Outside the scope of 30(b)(6) designation; Witness was not designated to testify as to potential financial effects of potential changes; Lacks foundation; Hearsay. |
| 416:22-417:2 | 401, 402, 602, 611, 801, 802. | Irrelevant in light of <i>TiVo</i> ; Outside the scope of 30(b)(6) designation; Witness is not designated to provide legal conclusions; Misstates document; Hearsay. |
| 436:20-22; 437:5; 438:2-4; 439:9-13; 438:21-22 | 602, 801, 802, 901. | Outside the scope of 30(b)(6) designation; Questions do not relate to the actual changes implemented; Witness lacks knowledge of the document; Hearsay. |

Objections to Designations in January 6, 2012 Deposition of Dean Hager

Mr. Hager is expected to be present and available at the hearing. At the time of the deposition from which plaintiff has designated, Mr. Hager was not a witness within the scope of Fed. R. Civ. P. 32(a)(3). Because he will be a present and available witness, his deposition testimony cannot be introduced into evidence.

In the alternative, and should the Court determine that designated portions of the deposition may be offered into evidence, Lawson Software, Inc. makes the following objections.

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|----------------------------|--|
| 27:2 – 27:6 | 403, 611. | Asked and answered. |
| 27:7 – 27:16; 27:19 – 28:5 | 401, 402, 602, 612. | Relevance; Foundation; Improper attempt to refresh recollection. |
| 30:14 - 30:17 | 401, 402. | Vague and ambiguous as to "involved in the transition." Argumentative. |
| 34:4 - 34:6 | 401, 402, 1002. | Witness's recollection of statement is irrelevant; Video, which was produced, is itself the best evidence. |
| 44:9 - 44:11 | 401, 402, 602. | Vague and ambiguous as to "functional changes." Information is outside witness's personal knowledge. |
| 55:6 - 55:15; 55:17, 55:22 -56:8, 56:11 - 14 | 401, 402, 611, 613. | Relevance; Vague and ambiguous as to "right"; Badgering; Improper use of prior statement. |
| 60:2 – 22; 61:3; 61:16 – 64:12 | 401, 402, 612. | Relevance; Improper refreshment of recollection. |
| 68:2; 68:6 - 69:7; 69:11; 71:5 - 71:7; 71:12 - 71:13 | 401, 402, 403, 611. | Argumentative; Asked and answered; relevance. |
| 77:13-22 | 401, 402, 801, 802. | Relevance; Hearsay. |
| 78:17-20 | 611, 801, 802. | Foundation; Hearsay. |
| 79:20 - 79:21; 80:2 - 80:12; 80:16 - 81:1; 81:3 - 81:9; 81:16 - 81:20; 81:22; 82:21 - 83:6; 84:20 - 85:3; 85:9 - 86:6 | 602, 611, 801, 802, 901. | Witness has no recollection of these documents and is not a recipient or author; Lack of foundation. |
| 91:6 - 91:10 | 611. | Misstates the testimony as to replacement cost and time; Argumentative. |

Objections to Designations in January 6, 2012 Deposition of Dean Hager

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|----------------------------|--|
| 92:10 - 92:15 | 611. | Misstates the testimony as to context of statements made at injunction hearing; Argumentative. |
| 92:21 - 93:1 | 401, 402, 611. | Argumentative; Vague and ambiguous as to "that testimony." |
| 93:6 - 93:9 | 401, 402, 611. | Argumentative; Vague and ambiguous as to "the answer that you provided to the Court that day." |
| 98:19 – 99:15 | 602, 801, 802. | Foundation; Hearsay. |
| 99:13 - 99:15 | 611. | Argumentative; Vague and ambiguous as to "by May 31, 2011"; Misstates the document as to what the document "contemplat[ed]." |
| 104:3 - 104:8; 104:14-104:19; 105:7 - 105:8 | 401, 402, 403, 611. | Entire line of questioning as to whether the witness informed the court of redesign after the injunction hearing is irrelevant as to whether the products are more than colorably different or whether there is continuing infringement; Argumentative; Asked and answered. |
| 105:13 - 105:18 | 401, 402, 611. | Entire line of questioning as to whether the witness informed the court of redesign after the injunction hearing is irrelevant as to whether the products are more than colorably different or whether there is continuing infringement; Argumentative; Vague and ambiguous as to "any efforts." |
| 106:13 – 106:19 | 401, 402. | Relevance |
| 116:13 - 116:17 | 401, 402. | Misstates the testimony as to the extent the witness relied on communication with Lohkamp; Vague and ambiguous as to "that." |
| 118:12-19 | 801, 802. | Hearsay |
| 118:20 - 118:22 | 401, 402, 403, 611. | Misstates the testimony as to extent the witness relied on communication with Lohkamp. Vague and ambiguous as to "your testimony"; Asked and answered. |
| 120:3 - 120:5 | 611. | Improper form; Misstates the document as to whether Lohkamp was "asked . . . to make a guess." |

Objections to Designations in January 6, 2012 Deposition of Dean Hager

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|----------------------------|---|
| 120:9 | 403, 611. | Improper form; Misstates the document as to whether the question was "I know it's a guess"; The question preceded the statement; Argumentative; Asked and answered. |
| 120:12 - 120:14 | 403, 611. | Misstates the testimony as to the extent the witness relied on communication with Lohkamp; Misstates the document as to whether a guess was requested; Vague and ambiguous as to "your testimony"; Argumentative; Asked and answered. |
| 120:22 - 121:3 | 403, 611. | Improper form; Misstates the document as to what was asked of Lohkamp; Argumentative; Asked and answered. |
| 130:20 – 131:5 | 611. | Improper form; Argumentative. |
| 131:12-19 | 403, 611. | Improper form; Argumentative; Asked and answered. |
| 132:3-8 | 403, 611. | Improper form; Argumentative; Asked and answered. |
| 133:3 - 133:4 | 401, 402, 403, 611. | Entire line of questioning as to whether the witness informed the court of redesign after the injunction hearing is irrelevant as to whether the products are more than colorably different or whether there is continuing infringement. Argumentative; Asked and answered. |
| 134:1 - 134:4 | 611. | Improper form; Argumentative. |
| 146:11 – 13, 17, 22 | 403, 611. | Asked and answered. |
| 147:21 - 148:2 | 403, 611. | Improper form; Misstates the testimony as to what was communicated to customers; Asked and answered. |
| 170:4 - 170:5 | 401, 402, 611. | Improper form; Argumentative; Relevance. |
| 185:6 - 185:7 | 401, 402, 611. | Improper form; Argumentative; Relevance. |
| 185:20 - 185:21 | 401, 402, 611. | Argumentative; Relevance. |
| 188:3 - 188:4; 188:7 - 188:9 | 602, 901. | Witness has no recollection of this document and is not a recipient or author; Lack of foundation. |
| 188:17 - 190:11 | 602, 901, 801. | Witness has no recollection of this document and is not a recipient or author; Lack of foundation; Hearsay as to whether "Dean's testimony was based on" Misstates evidence as to where Keith Lohkamp gave a "guess." |
| 191:21 - 192:12 | 602, 611, 901. | Witness has no recollection of this document and is not a recipient or author; Lack of foundation. |

Objections to Designations in January 6, 2012 Deposition of Dean Hager

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|----------------------------|--|
| 193:17-20 | 602, 611. | Foundation; Improper form; Argumentative. |
| 194:15 - 194:18 | 602, 611. | Foundation; Improper form; Argumentative. |
| 206:12 - 206:16 | 611. | Improper form; Argumentative; Misstates the document as referencing RQ instead of RQC. |
| 208:7 - 208:9 | 611. | Improper form; Argumentative. |
| 212:9 - 212:13 | 602, 901. | Counsel identifies an email on which witness is a recipient and proceeds to ask only about emails on which he is not a recipient without so clarifying; Lack of foundation. |
| 213:19 - 214:6; 214:18 - 214:22; 216:5-6 | 602, 801, 802, 901. | Witness has no knowledge of emails inquired about, of which he is neither an author nor recipient; Lacks foundation; hearsay; Vague and ambiguous as to product being discussed. |
| 219:3-5 | 611. | Improper form; Argumentative. |
| 245:5-7 | 611. | Argumentative. |
| 250:16 - 251:8; 251:10 - 252:2; 252:4 - 252:9 | 401, 402. | Relevance. |
| 260:21 - 261:9 | 502, 602. | This portion of the email has been clawed back for redaction as privileged pursuant to the Protective Order. |
| 278:17 - 279:9 | 401, 402, 611. | Relevance; Argumentative. |
| 282:11-16 | 602, 611. | Foundation; Argumentative. |
| 286:4 - 286:7 | 401, 402, 602, 611. | Calls for a legal conclusion; Foundation; Argumentative. |
| 291:8 - 292:2; 292:9 - 292:15; 293:1 - 294:5 | 602, 901. | Witness has no knowledge of these statements/this document and was neither an author nor a recipient. Lacks foundation. |
| 322:14 | 602. | Foundation; for speculation as to why J. Langer was making a certain recommendation. |
| 323:12-14; 323:18- 21 | 602. | Foundation |
| 324:7 - 324:11 | 401, 402, 403, 611. | Entire line of questioning as to statements at the injunction hearing is irrelevant as to whether the products are more than colorably different or whether there is continuing infringement; Argumentative; Asked and answered; Misstates the evidence as to what "your support team was telling you" regarding availability to be shipped. |

Objections to Designations in January 6, 2012 Deposition of Dean Hager

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|----------------------------|--|
| 329:10 - 329:13 | 401, 402, 611. | Improper form; Argumentative; Misstates the evidence as to whether witness "suggest[ed]" anything; Relevance. |
| 330:8 - 330:10 | 611. | Argumentative; Misstates the evidence as to "suggesting." |
| 331:14-16 | 611. | Improper form; Argumentative |
| 333:20 | 401, 402. | Vague and ambiguous as to which email is being referenced. Misstates the evidence as to several emails on the chain. |
| 340:21 - 341:1 | 401, 402, 611. | Improper form; Argumentative; Vague and ambiguous as to product and as to functionality; Relevance. |
| 341:18 - 341:21 | 401, 402, 611. | Improper form; Argumentative; Relevance. |
| 373:19 - 373:21 | 401, 402, 611. | Vague and ambiguous as to "your counsel's questions." |
| 374:8 - 374:13 | 401, 402, 611. | Improper form; Argumentative; Misstates the evidence as to why witness was chosen to testify and about what; Relevance. |
| 375:21 - 376:4 | 602, 611. | Foundation; Misstates evidence as to what witness did to educate himself and as to product; Argumentative. |
| 376:16 - 376:20 | 403, 602, 611. | Improper form; Argumentative; Misstates the evidence as to knowledge of when product would be "available"; Asked and answered. |

Objections to Designations in December 29, 2011 Deposition of Scott D. Hanson

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|-------------------------------|---|
| 52:14 – 52:17 | 401, 402. | Objection to form; Compound |
| 52:22 | 401, 402, 611. | Objection to form; Argumentative; Vague and ambiguous. |
| 53:5 – 53:6 | 401, 402. | Objection to form; Compound. |
| 53:12 – 53:15 | 401, 402, 602; 801, 802. | Objection to form; Argumentative; Foundation; Outside scope of 30(b)(6) designation; Witness was not designated to discuss customer communications; Hearsay. |
| 64:9 – 64:10 | 401, 402, 403; 602; 801, 802. | Objection to form; Calls for speculation; Outside scope of 30(b)(6) designation; Witness was not designated to testify as to RQC installations performed by its customers; Hearsay. |
| 64:20 – 64:21 | 401, 402, 602; 801, 802. | Objection to form; Calls for speculation; Outside scope of 30(b)(6) designation; Witness was not designated to testify as to customers that have licensed RSS; Hearsay. |
| 66:2 – 66:7 | 401, 402, 602; 801, 802. | Objection to form; Compound; Calls for speculation; Outside scope of 30(b)(6) designation; Witness was not designated to testify as to customer status regarding RSS or RQC; Hearsay. |
| 67:3 – 67:5 | 401, 402, 602; 801, 802. | Objection to form; Calls for speculation; Outside scope of 30(b)(6) designation; Witness was not designated to testify as to customer status regarding RSS or RQC; Hearsay. |
| 67:13 | 401, 402, 602; 801, 802. | Objection to form; Calls for speculation; Outside scope of 30(b)(6) designation; Hearsay. |
| 69:17 – 69:18; 69:21 | 401, 402, 602; 801, 802. | Vague and ambiguous as to “operational.” Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to technical definitions; Hearsay. |
| 71:5 – 71:7 | 401, 402. | Objection to form; Vague and ambiguous as to “prior configuration.” |
| 76:20 – 77:1 | 401, 402, 602. | Objection to form; Foundation; Vague and ambiguous as to “clients for whom you have provided assistance.” |

Objections to Designations in December 29, 2011 Deposition of Scott D. Hanson

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|-------------------------------|---|
| 80:13 – 80:15; 81:2 – 81:3; 81:9; 82:13 – 82:15 | 401, 402, 602; 801, 802. | Compound; Calls for speculation; Misstates the testimony; Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to product differences; Hearsay. |
| 85:6 – 85:8; 86:6 – 86:8; 87:12 – 87:13 | 401, 402, 602; 801, 802. | Misstates the testimony; Argumentative; Asked and answered; Calls for speculation; Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to product comparative functionality; Hearsay. |
| 88:13 – 88:14 | 611. | Argumentative; Misstates the testimony. |
| 89:16 – 89:18 | 401, 402, 403; 602; 801, 802. | Argumentative; Asked and answered; Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to product comparative functionality; Hearsay. |
| 91:9 – 91:10; 91:18 – 91:20 | 401, 402, 602; 801, 802. | Calls for speculation; Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to customer support issues; Hearsay. |
| 101:8 – 101:10 | 401, 402, 901. | Exhibit lacks foundation (no Bates label; no indication that document without Bates label was attachment to email). |
| 102:2 – 102:4 | 602, 901. | Exhibit lacks foundation. |
| 104:20 – 104:22 | 401, 402, 602, 901. | Exhibit lacks foundation. |
| 106:7 – 106:10 | 401, 402, 602; 801, 802. | Improper form; Compound; Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to customer communications; Hearsay. |
| 107:13 – 107:14 | 401, 402, 602; 801, 802. | Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to product comparative functionality; Hearsay. |
| 114:3 – 114:4 | 401, 402, 602; 801, 802. | Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to configuration; Hearsay. |
| 115:12 – 115:15 | 401, 402, 602; 801, 802. | Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to configuration; Hearsay. |
| 124:8 – 124:11 | 401, 402. | Misstates the exhibit (“client’s end users shouldn’t need to be trained” vs. “no training issues have been identified to date”). |

Objections to Designations in December 29, 2011 Deposition of Scott D. Hanson

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|-------------------------------|---|
| 127:16 – 127:17 | 401, 402, 602; 801, 802. | Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to customer downloads of RQC; Hearsay. |
| 128:18 | 401, 402. | Why Lawson does not maintain records of customer installations of RQC is not relevant. |
| 129:21 - 130:2 | 401, 402, 611. | Argumentative. |
| 130:10 | 401, 402, 602; 801, 802. | Who would know the answer to the question is irrelevant; Foundation; Outside the scope of the 30(b)(6) designation; Hearsay. |
| 137:4 – 137:8 | 401, 402. | Objection to form. Compound |
| 137:14 – 137:15 | 401, 402, 602. | Relevance; Foundation. |
| 142:16; 143:16 – 17 | 401, 402, 611. | Argumentative. |
| 147:19 – 147:22 | 611. | Improper form; Argumentative; Compound. |
| 148:5 – 148:6 | 401, 402, 403. | Vague and ambiguous as to “operational”; Asked and answered. |
| 150:13 – 150:15 | 401, 402, 403. | Asked and answered. |
| 156:10 – 156:13 | 401, 402, 403, 611. | Improper form; Argumentative; Misstates the testimony. |
| 158:18 – 158:20, 159:9-12 | 401, 402, 602; 801, 802. | Outside the scope of the 30(b)(6) designation; Witness was not designated to testify about provision of upgrades to customers; Hearsay. |
| 161:13 – 161:16 | 401, 402, 602. | How a customer is conducting its procurement activities is not relevant; Foundation. |
| 162:1 – 162:3 | 401, 402, 602. | Whether a customer has ceased conducting procurement activities using Lawson systems is not relevant; Foundation; Relevance. |
| 162:17 – 162:21 | 401, 402, 602, 801, 802 | Outside the scope of the 30(b)(6) designation; Hearsay. |
| 163:18 – 163:20 | 401, 402, 403. | Asked and answered. |
| 164:3 | 401, 402, 611. | Argumentative. |
| 164:9 – 164:11 | 401, 402, 403, 602, 801, 802. | Asked and answered. . Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to configuration. |
| 169:13 – 169:16 | 401, 402, 602; 801, 802. | Argumentative; Outside the scope of the 30(b)(6) designation; Witness was not designated on stated customer communication issue; Hearsay. |

Objections to Designations in December 29, 2011 Deposition of Scott D. Hanson

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|------------------------------------|--|
| 170:4 – 170:7 | 401, 402, 602; 801, 802. | Argumentative; Outside the scope of the 30(b)(6) designation; Witness was not designated on stated customer communication issue; Hearsay. |
| 173:2 – 173:3 | 401, 402. | Argumentative; Objection to form. |
| 173:8 – 173:9 | 401, 402, 403, 602; 801, 802. | Asked and answered; Outside the scope of the 30(b)(6) designation; Witness was not designated on stated customer communication issue; Hearsay. |
| 173:16 – 173:17 | 401, 402, 403, 602; 801, 802. | Asked and answered; Outside the scope of the 30(b)(6) designation; Witness was not designated on stated customer communication issue; Hearsay. |
| 175:14 – 175:17 | 401, 402, 403, 602; 801, 802. | Calls for a legal conclusion; Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to the injunction; Hearsay. |
| 176:1 – 176:4 | 401, 402, 403, 602; 801, 802. | Objection to form; Calls for a legal conclusion; Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to the injunction; Hearsay. |
| 176:11 – 176:14 | 401, 402, 403, 602; 801, 802. | Objection to form. Outside the scope of the 30(b)(6) designation; Witness was not designated to testify to configuration; Hearsay. |
| 179:20 – 179:22 | 401, 402, 403. | Asked and answered. |
| 181:5 – 181:7 | 401, 402, 403. | Asked and answered. |
| 188:6 – 188:9; 188:11 – 188:12; 188:14 – 188:16 | 401, 402, 403, 602; 801, 802. | Outside the scope of the 30(b)(6) designation; Witness was not designated to testify about the identity of customers that have installed and/or implemented RQC or customers that have removed and/or uninstalled RSS; Hearsay. |
| 196:1 – 196:3 | 401, 402, 403, 602, 801, 802; 901. | Exhibit lacks foundation (Mr. Hanson is not involved with the support team). Calls for speculation. Incomplete exhibit. Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to customer support issues; Hearsay. |

Objections to Designations in December 29, 2011 Deposition of Scott D. Hanson

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|------------------------------------|--|
| 197:5 – 197:6 | 401, 402, 403, 602, 801, 802; 901. | Exhibit lacks foundation (Mr. Hanson is not involved with the support team). Calls for speculation. Incomplete exhibit. Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to customer support issues; Hearsay. |
| 200:13 – 200:14 | 401, 402, 403, 602; 801, 802; 901. | Exhibit lacks foundation (Mr. Hanson is not involved with the support team). Calls for speculation. Incomplete exhibit. Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to customer support issues, Hearsay. |
| 200:22 – 201:2 | 401, 402, 403, 602, 801, 802; 901. | Exhibit lacks foundation (Mr. Hanson is not involved with the support team). Calls for speculation. Incomplete exhibit. Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to customer support issues; Hearsay. |
| 202:7 – 202:9 | 401, 402, 403, 602, 801, 802; 901. | Exhibit lacks foundation (Mr. Hanson is not involved with the support team). Calls for speculation. Incomplete exhibit. Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to customer support issues; Hearsay. |
| 203:19 – 203:21 | 401, 402, 403, 602, 801, 802; 901. | Exhibit lacks foundation (Mr. Hanson is not involved with the support team); Calls for speculation. Incomplete exhibit; Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to customer support issues; Hearsay. |
| 204:18 – 205:1 | 401, 402, 403, 602, 801, 802; 901. | Exhibit lacks foundation (Mr. Hanson is not involved with the support team); Calls for speculation. Incomplete exhibit; Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to customer support issues; Hearsay. |
| 205:14 – 205:15 | 401, 402, 403, 602, 801, 802. | Asked and answered; Outside the scope of the 30(b)(6) designation; Witness was not designated to running RQC and RSS in parallel; Hearsay. |

Objections to Designations in December 29, 2011 Deposition of Scott D. Hanson

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|---------------------------------------|--|
| 206:2 – 206:3; 206:6 | 401, 402; 403, 602, 801, 802; 901. | Exhibit lacks foundation (Mr. Hanson is not involved with the support team); Calls for speculation. Incomplete exhibit; Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to customer support issues; Hearsay. |
| 206:22 – 207:22; 208:7 | 401, 402, 403, 602, 801, 802; 901. | Exhibit lacks foundation (Mr. Hanson is not involved with the support team); Calls for speculation; Incomplete exhibit; Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to running RQC and RSS in parallel; Hearsay. |
| 208:16 – 208:18 | 401, 402, 403, 602, 801, 802; 901. | Exhibit lacks foundation (Mr. Hanson is not involved with the support team); Calls for speculation. Incomplete exhibit; Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to running RQC and RSS in parallel; Hearsay. |
| 209:19 – 209:21 | 401, 402, 403, 602, 801, 802; 901. | Exhibit lacks foundation (Mr. Hanson is not involved with the support team); Calls for speculation; Incomplete exhibit; Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to running RQC and RSS in parallel; Hearsay. |
| 212:12 – 212:14 | 401, 402, 403, 611. | Asked and answered; Relevance. |
| 213:17 – 213:21 | 401, 402, 403, 611. | Asked and answered; Argumentative; Relevance. |
| 218:11 | 401, 402, 403, 611. | Asked and answered; Argumentative. |
| 218:22 – 219:2 | 401, 402, 403, 611. | Argumentative; Misstates the exhibits. |
| 219:7 – 219:8 | 401, 402, 403, 602, 801, 802. | Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to running RQC and RSS in parallel; Hearsay. |
| 220:20 – 220:22 | 401, 402, 403. | Objection to form. Compound. |
| 221:5 – 221:6 | 401, 402, 403, 602, 801, 802. | Objection to form; Outside the scope of the 30(b)(6) designation; Hearsay. |
| 221:16 – 221:18 | 401, 402, 403, 611. | Objection to form; Argumentative. |
| 253:1 – 253:9 | 401, 402, 403, 602; 801, 802. | Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to customer support; Hearsay. |
| 253:19 – 254:3; 254:16 – 254:17 | 401, 402, 403, 602, 801, 802. | Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to configuration; Hearsay. |

Objections to Designations in December 29, 2011 Deposition of Scott D. Hanson

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|--|---|
| 255:5 – 255:7 | 401, 402, 403, 602, 801, 802. | Misstates the testimony; Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to configuration; Hearsay. |
| 270:9 – 270:11 | 401, 402, 403. | Calls for speculation. Misstates the exhibit. |
| 271:9 – 271:22 | 401, 402, 403. | Objection to form. |
| 280:16 – 280:21 | 401, 402, 403. | Objection to form. |
| 281:4 – 281:6 | 401, 402, 403, 602, 801, 802. | Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to design of RQC; Hearsay. |
| 283:19 – 283:20 | 401, 402, 403, 602, 801, 802. | Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to design of RQC; Hearsay |
| 285:18 – 285:19 | 401, 402, 403, 602, 801, 802. | Objection to form; Outside the scope of the 30(b)(6) designation; Witness was not designated to running RQC and RSS in parallel. |
| 287:17 | 401, 402, 403, 602. | Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to design of RQC. |
| 293:13 – 293:19 | 401, 402, 403, 602, 801, 802. | Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to configuration; Hearsay. |
| 300:17 – 300:19 | 401, 402, 403, 602, 801, 802. | Objection to form; Asked and Answered; Outside the scope of the 30(b)(6) designation; Witness was not designated to running RQC and RSS in parallel; Hearsay. |
| 313:8 – 313:13 | 401, 402, 403. | Asked and answered. |
| 322:9 – 322:10 | 401, 402, 403. | Asked and answered. Misstates the testimony. <i>See</i> objection at 322:11-12. |
| 334:3 – 334:4 | 401, 402, 403, 602, 801, 802, 701, 801, 802. | Objection to form; Calls for opinion; Foundations; Outside the scope of the 30(b)(6) designation; Hearsay. |
| 338:9 – 338:13 | 401, 402, 403, 602, 901. | Objection to form; Foundation. |

Objections to Designations in December 21, 2011 Deposition of Elizabeth R. Homewood

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|------------------------------------|---|
| 17:3 – 17:4 | 401, 402, 611. | Vague and ambiguous as to “each of these topics”; Compound. |
| 22:18 – 22:20 | 401, 402, 611. | Asked and answered; Misstates the testimony. |
| 36:2 – 36:8 | 401, 402, 602. | Hypothetical; Assumes facts not in evidence; Foundation. |
| 36:14 – 36:21 | 401, 402, 602. | Hypothetical; Assumes facts not in evidence; Foundation. |
| 37:5 – 37:10 | 401, 402, 602. | Hypothetical; Assumes facts not in evidence; Foundation. |
| 39:5 – 39:10 | 401, 402, 602. | Hypothetical; Assumes facts not in evidence; Foundation. |
| 46:21 – 47:2 | 602; 901 | Lacks foundation. |
| 68:20 – 69:6 | 401, 402, 403 | Improper form; Foundation as to subject email. |
| 72:9 – 72:10 | 602, 801, 802. . | Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to technical information. |
| 78:1 – 78:6 | 401, 402, 602 | Hypothetical; Assumes facts not in evidence; Foundation. |
| 84:9 – 84:12 | 401, 402, 403, 602. | Foundation; Assumes facts not in evidence. |
| 94:18 – 95:1 | 602, 901. | Foundation. |
| 101:13 – 102:2 | 602, 801, 802, 901 | Outside the scope of the 30(b)(6) designation; Foundation. |
| 102:15 - 102:20 | 602 801, 802, 901. | Outside the scope of the 30(b)(6) designation; Foundation. |
| 103:4 – 103:20 | 602, 801, 802, 901. | Outside the scope of the 30(b)(6) designation; Foundation. |
| 105:20 – 105:22 | 401, 402, 403. | Asked and answered. |
| 106:5 – 106:7 | 401, 402, 403. | Asked and answered. |
| 108:6 – 109:9 | 602, 611, 901. | Foundation; Improper form; Vague. |
| 110:4 – 110:7 | 602, 901. | Foundation. |
| 114:22 – 115:2; 115:6 | 401, 402, 403, 602, 801, 802. . | Relevance; Outside the scope of the 309(b)(6) designation; Witness was not designated to testify as to patches for RQC. |
| 118:20 – 119:3 | 401, 402, 602. | Hypothetical; Assumes facts not in evidence; Foundation. |
| 132:12 – 132:15 | 401, 402, 403 | Asked and answered. |

Objections to Designations in December 21, 2011 Deposition of Elizabeth R. Homewood

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|-------------------------------|--|
| 134:3 – 134:7 | 401, 402, 403, 602, 801, 802. | Asked and answered; Outside the scope of the 30(b)(6) designation; Witness was not designated to testify as to products use. |
| 135:18 – 135:20 | 401, 402, 403, 611. | Compound; Asked and answered, Argumentative. |
| 158:19 – 159:1 | 401, 402, 602, 611. | Foundation; Argumentative. |
| 169:11 – 170:1 | 401, 402, 403. | Compound. |
| 178:15 – 178:17 | 401, 402, 403. | Asked and answered. |

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Objections to Designations in January 9, 2012 Deposition of Kurt Reasoner

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|----------------------------|-------------------------|
| 53:20-21 | 401, 402, 602. | Foundation. |
| 82:20-21 | 401, 402, 602. | Foundation. |

Objections to Designations in January 5, 2012 Deposition of Kevin Samuelson

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|----------------------------|--|
| 84:6 – 85:2, | 602, 801, 802. | Outside the scope of 30(b)(6) designation; Hypothetical. |
| 128:6-9 | 602, 801, 802. | Outside the scope of 30(b)(6) designation; Hypothetical. |
| 129:14-16 | 602, 801, 802. | Outside the scope of 30(b)(6) designation; Hypothetical. |
| 130:8-17 | 403, 602, 801, 802. | Asked and answered; Outside the scope of 30(b)(6) designation; Hypothetical. |
| 179:22 – 180:2 | 602, 801, 802. | Outside the scope of 30(b)(6) designation; Hypothetical. |
| 238:15 – 239:6, 240:10-18 | 401, 402, 611. | Incomplete question. |
| 243:11-20 | 401, 402, 602, 801, 802. | Outside the scope of 30(b)(6) designation; Hypothetical. |
| 248:5-17 | 401, 402, 602, 801, 802. | Outside the scope of 30(b)(6) designation; Hypothetical. |
| 255:6-13 | 401, 402, 602, 801, 802. | Outside the scope of 30(b)(6) designation; Hypothetical. |
| 263:3-5 | 401, 402, 602, 801, 802. | Outside the scope of 30(b)(6) designation; Foundation; Hypothetical. |
| 302:22 – 303:7 | 401, 402, 602 | Foundation. |
| 334:6-9 | 602. | Foundation. |
| 343:9-13 | 401, 402, 602, 801, 802. | Outside the scope of 30(b)(6) designation; Foundation; Hypothetical. |

Objections to Designations in January 6, 2012 Deposition of Keith Lohkamp

Mr. Lohkamp is expected to be present and available at the hearing. At the time of the deposition from which plaintiff has designated, Mr. Lohkamp was not a witness within the scope of Fed. R. Civ. P. 32(a)(3). Because he will be a present and available witness, his deposition testimony cannot be introduced into evidence.

In the alternative, and should the Court determine that designated portions of the deposition may be offered into evidence, Lawson Software, Inc. makes the following objections.

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|--|----------------------------|---|
| 37:5-9; 38:16-22; 39:22-40:3; 70:7-8; 173:3 | 602, 701. | Inappropriate expert testimony; Lacks personal knowledge. |
| 40:15-17 | 611. | Vague and ambiguous as to "related to items that you can purchase from multiple different vendors". |
| 41:14-18; 50:8-10; 51:5-6; 51:10-12; 53:6-12; 53:19-22; 54:9; 54:11-12; 55:6-9; 57:14-16; 57:19-21; 58:2-3; 58:5-8; 58:11-13; 59:6-8; 65:21-22; 114:12-15 | 401, 402. | Irrelevant in light of Tivo. |
| 45:6-8; 46:10-11; 79:2-5; 103:9-14; 105:20-106:1; 106:11-13; 112:19-22; 114:17-19; 121:6-7; 137:8-10; 137:13-15; 144:22-145:2; 156:15-17; 157:1-3; 157:8; 157:10-11; 168:5-7; 175:22-176:19; 180:13-14; 181:7-10; 187:5-6; 193:21-22; 1194:5-9; 196:11-15; 200:1-3; 201:11-13; 207:13-16; 213:10-15; 213:22-214:2; 215:13-15; 216:2-3 | 602. | Lacks personal knowledge; Speculation. |

Objections to Designations in January 6, 2012 Deposition of Keith Lohkamp

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|----------------------------|--|
| 50:1-2 | 401, 402, 602, 611. | Vague and ambiguous as to "agreed with that conclusion"; Lacks personal knowledge; Irrelevant in light of Tivo. |
| 71:16-19; 72:3-7 | 611. | Misstates testimony. |
| 73:16-21 | 611. | Vague and ambiguous as to "items are returned back to the Lawson system to that right hand side of the user interface of RQC". |
| 74:5-15 | 611. | Vague and ambiguous as to "brought those items back into the right hand side screen"; Incomplete hypothetical. |
| 75:2-8 | 611. | Incomplete hypothetical. |
| 79:12-13; 80:18-21; 177:7-10 | 602, 611. | Lacks personal knowledge; Argumentative. |
| 90:15-19 | 611. | Vague and ambiguous as to "multiple items for inclusion in a requisition that can be purchased from multiple different vendors". |
| 93:4-14; 94:21-95:1 | 407, 602, 701. | Inappropriate expert testimony; Lacks personal knowledge; Subsequent remedial measures. |
| 94:1-5 | 407. | Subsequent remedial measures. |
| 98:4-7; 189:8-11 | 801, 802. | Hearsay. |
| 100:12-13 | 407, 602, 801, 802. | Lacks personal knowledge; Speculation; Subsequent remedial measures; Hearsay. |
| 102:20-103:2 | 611. | Misstates testimony. |
| 111:18-19 | 611. | Vague and ambiguous as to "work had already begun". |
| 112:13-14; 115:1-4 | 602. | Lacks personal knowledge; Speculation; Lacks foundation. |
| 113:6-9 | 611. | Argumentative. |
| 122:4-7 | 602, 701. | Lacks personal knowledge; Speculation; Inappropriate expert testimony. |

Objections to Designations in January 6, 2012 Deposition of Keith Lohkamp

| Plaintiff's Designated Testimony | Lawson's Objections | Lawson's Summary |
|---|----------------------------|---|
| 122:14-17 | 602, 611, 701. | Lacks personal knowledge; Speculation; Inappropriate expert testimony; Argumentative. |
| 130:5-6 | 602, 611, 701. | Vague and ambiguous as to "configuration"; Inappropriate expert testimony; Lacks personal knowledge; Speculation. |
| 130:5-7; 131:16-18 | 602, 701. | Inappropriate expert testimony; Lacks personal knowledge; Speculation. |
| 170:22-171:6; 171:11-13 | 602. | Lacks personal knowledge of document. |
| 179:10-17 | 602, 611. | Misstates document; Lacks personal knowledge; Speculation. |
| 180:7-9 | 602, 611, 701. | Inappropriate expert testimony; Lacks personal knowledge; Speculation; Argumentative. |